

From: Mark Farley
To: Microsoft ATR
Date: 1/25/02 10:22pm
Subject: Microsoft Settlement

I would like to register my discontent at the light punishment proposed to be shown to Microsoft after their having been found to abuse their monopoly position. While it is not illegal to be a monopoly, it is critical to the health of the US and world economies that companies in a monopoly position are not allowed to use their unusual position anti-competitively to disrupt the invention process and ruin the possible success of competitors. Maintenance of a monopoly position in the marketplace should only be legally held by continuing to offer superior products and services, and not through the undermining of potential competition.

I soundly reject Microsoft's argument that their behavior has been good for consumers. If you kill my neighbor, take his home, and give a dollar of what you have stolen from him to me, you cannot argue that I am better off. (This is particularly true if I needed him to help jump-start my car tomorrow.) We will never know how well Netscape and a number of other companies that have been assassinated by Microsoft may have fared on a level playing field.

Proposed settlements at the state level have ludicrously seemed to actually reward and extend the monopolistic abuse rather than give it cause to reconsider its behavior. Thank God for the wisdom of the judge who saw the proposal for what it was.

I can only hope that Microsoft is punished fairly, but very firmly, in a manner that stops cold the abuses of the past. If only a trivial price need be paid for destroying a competitor through illegal action, then no lesson is learned; Only a fair market value of extinguishing competition will have been determined. Microsoft needs to learn that the price is more than they can afford to pay next time. A cost of only a few hundred million dollars is easily passed on to customers at the next program update and the abuses will continue.

I think an amount equal to a year or two of earnings is not too little, nor too much. They will survive.

Thank you for your consideration.

Regards,
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